

1 **BEFORE THE ARIZONA REGULATORY BOARD**
2 **OF PHYSICIAN ASSISTANTS**

3 In the Matter of

4 **Linda D. Teague, P.A.**

5 Holder of License No. 1883
6 For the Performance of Healthcare Tasks
In the State of Arizona.

Board Case No. PA-13-0052A

**ORDER FOR LETTER OF
REPRIMAND AND PROBATION AND
CONSENT TO THE SAME**

7 Linda D. Teague, P.A. ("Respondent"), elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
9 admits the jurisdiction of the Arizona Regulatory Board of Physician Assistants ("Board");
10 and consents to the entry of this Order by the Board.

11
12 **FINDINGS OF FACT**

13 1. The Board is the duly constituted authority for the regulation and control of
14 physician assistants in the State of Arizona.

15 2. Respondent is the holder of License No. 1883 for the performance of health
16 care tasks in the State of Arizona.

17 3. The Board initiated case number PA-13-0052A after receiving notification
18 from the Physician Health Program ("PHP") that since July 2013, Respondent's drug
19 testing results have been abnormal.

20 4. On December 22, 2009, Respondent entered into a Confidential Stipulated
21 Rehabilitation Agreement ("SRA") with the Board after having been diagnosed with
22 alcohol dependence and successfully completing treatment. On August 14, 2013, the
23 PHP reported that since early July 2013, Respondent's drug testing results had been
24 abnormal. Because of the abnormal drug testing results, Respondent was requested to
25

1 undergo hair testing. Before she underwent the hair testing, Respondent contacted the
2 PHP and admitted that her consumption of alcohol began in June of 2013 after the loss of
3 a family member.

4 5. Pursuant to the terms of her SRA, on August 20, 2013, Respondent entered
5 into an Interim Order for Practice Restriction ("Interim Order"). Pursuant to the Interim
6 Order, Respondent was prohibited from performing healthcare tasks in the State of
7 Arizona until she completed long term inpatient treatment for chemical dependency and
8 received permission from the Board to do so.

9
10 6. On August 29, 2013, Respondent was admitted to a treatment center for an
11 intensive evaluation. At the conclusion of the evaluation, it was recommended that
12 Respondent complete long term residential treatment. Respondent elected to stay at the
13 evaluation facility for long term residential treatment, which she successfully completed
14 on December 20, 2013.

15 7. Respondent was subsequently assessed by the PHP, who determined that
16 she would be safe to perform healthcare tasks so long as she participated in the PHP for
17 a period of five years. On January 23, 2014, Respondent entered into an Interim Consent
18 Agreement for PHP participation. Because the PHP deemed Respondent safe to perform
19 healthcare tasks subject to PHP participation, the Interim Order was vacated.
20 Respondent remains in compliance with the terms and conditions of the Interim Consent
21 Agreement for PHP Participation.

22
23 **CONCLUSIONS OF LAW**

24 1. The Arizona Regulatory Board of Physician Assistants possesses
25 jurisdiction over the subject matter hereof and over Respondent.

2. The conduct and circumstances described above constitutes unprofessional conduct pursuant to A.R.S. § 32-2501(18)(d) ("[h]abitual intemperance in the use of alcohol or habitual substance abuse.").

3. The conduct and circumstances described above constitutes unprofessional conduct pursuant to; and A.R.S. § 32-2501(18)(dd) ("[v]iolating a formal order, probation agreement or stipulation issued or entered into by the board or its executive director.").

ORDER¹

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

2. Respondent's license is placed on probation for **FIVE Years** retroactive to January 23, 2014, and is subject to her continued participation in the Board's PHP and compliance with the following terms and conditions.

3. **No Alcohol or Poppy Seeds.** Respondent shall not consume alcohol or any food or other substance containing poppy seeds or alcohol. Respondent shall not take any illegal drugs or mood altering medications.

4. **Relapse Prevention Group.** Respondent shall attend the PHP's relapse prevention group therapy sessions one time per week for the duration of this Interim Stipulated Agreement, unless excused by the relapse prevention group facilitator for good cause. Individual relapse therapy may be substituted for one or more of the group therapy sessions, if PHP pre-approves substitution. The relapse prevention group facilitators or individual relapse prevention therapist shall submit monthly reports to the PHP regarding attendance and progress.

¹ The Interim Order to Participate in PHP dated January 23, 2014 is hereby vacated.

1 5. If requested by the PHP, Respondent shall successfully complete a PHP
2 approved 72 hour alcohol/drug awareness education class.

3 6. 12 Step or Self-Help Group Meetings. If requested by the PHP,
4 Respondent shall attend ninety 12-step meetings or other self-help group meetings
5 appropriate for substance abuse and approved by the PHP, for a period of ninety days.
6 Upon completion of the ninety meetings in ninety days, Respondent shall participate in a
7 12-step recovery program or other self-help program appropriate for substance abuse as
8 recommended by the PHP. Respondent shall attend a minimum of three 12-step or other
9 self-help program meetings per week. Two meetings per month must be Caduceus
10 meetings. Respondent must maintain a log of all self-help meetings.

11 7. Approved Primary Care Physician. Respondent shall promptly obtain a
12 primary care physician ("PCP") and shall submit the name of the physician to the PHP in
13 writing for approval. The approved PCP shall be in charge of providing and coordinating
14 Respondent's medical care and treatment. Except in an *Emergency*, Respondent shall
15 obtain medical care and treatment only from the PCP and from health care providers to
16 whom the PCP refers Respondent. Respondent shall promptly provide a copy of this
17 Order to the PCP. Respondent shall also inform all other health care providers who
18 provide medical care or treatment that Respondent is participating in PHP. "*Emergency*"
19 means a serious accident or sudden illness that, if not treated immediately, may result in
20 a long-term medical problem or loss of life.

21 8. Medication. All prescriptions for controlled substances shall be
22 approved by the PHP prior to being filled except in an *Emergency*. Controlled
23 substances prescribed and filled in an emergency shall be reported to the PHP within 48
24 hours. Respondent shall take no Medication unless the PCP or other health care provider
25 to whom the PCP refers Respondent prescribes and the PHP approves the Medication.

1 Respondent shall not self-prescribe any Medication. "Medication" means a prescription-
2 only drug, controlled substance, and over-the counter preparation, other than plain
3 aspirin, plain ibuprofen, and plain acetaminophen. Respondent shall submit to random
4 biological fluid, hair and nail testing for two years from the date of this Interim Stipulated
5 Agreement (as specifically directed below) to ensure compliance with PHP.

6 9. **Biological Fluid, Hair and Nail Collection.** Respondent shall provide the
7 PHP in writing with one telephone number that shall be used to contact Respondent on a
8 24 hour per day/seven day per week basis to submit to biological fluid, hair and nail
9 testing to ensure compliance with PHP. For the purposes of this section, telephonic
10 notice shall be deemed given at the time a message to appear is left at the contact
11 telephone number provided by Respondent. Respondent authorizes any person or
12 organization conducting tests on the collected samples to provide testing results to the
13 PHP. Respondent shall comply with all requirements for biological fluid, hair and nail
14 collection. Respondent shall pay for all costs for the testing.

15 10. **Out of State Travel and/or Unavailability at Home/Office Telephone**
16 **Number.** Respondent shall provide the PHP with written notice of any plans to travel out
17 of state.

18 11. **Address and Phone Changes, Notice.** Respondent shall immediately
19 notify the Board and the PHP in writing of any change in office or home addresses and
20 telephone numbers.

21 12. **Release of Information.** Respondent provides full consent for the PHP to
22 discuss the Respondent's case with the Respondent's PCP or any other health care
23 providers to ensure compliance with PHP.

1 13. **Direct Relationship.** The relationship between the Respondent and the
2 PHP is a direct relationship. Respondent shall not use an attorney or other intermediary
3 to communicate with the PHP on participation and compliance issues.

4 14. **Payment for Services.** Respondent shall be responsible for all costs,
5 including PHP costs associated with participating in PHP at the time service is rendered,
6 or within 30 days of each invoice sent to the Respondent. An initial deposit of two
7 months PHP fees is due upon entering the program. Failure to pay either the initial PHP
8 deposit or monthly fees 60 days after invoicing will be reported to the Board by the PHP
9 and may result in disciplinary action up to and including revocation.

10 15. **Notice Requirements.** Respondent shall immediately provide a copy of
11 this Order to all employers, hospitals and free standing surgery centers where
12 Respondent currently has or in the future gains employment or privileges. Within 30 days
13 of the date of this consent Agreement, Respondent shall provide the PHP with a signed
14 statement of compliance with this notification requirement. Respondent is further
15 required to notify, in writing, all employers, hospitals and free standing surgery centers
16 where Respondent currently has or in the future gains employment or privileges, of a
17 chemical dependency relapse.

18 16. **Out-of-State.** In the event Respondent resides or practices as a physician
19 assistant in a state other than Arizona, Respondent shall participate in the rehabilitation
20 program sponsored by that state's medical licensing authority or medical society.
21 Respondent shall cause the monitoring state's program to provide written quarterly
22 reports to the PHP regarding Respondent's attendance, participation, and monitoring.
23 The monitoring state's program and Respondent shall immediately notify the PHP if
24 Respondent: a) is non-compliant with any aspect of the monitoring requirements; b)
25 relapses; c) tests positive for controlled substances; d) has low specific gravity urine drug

1 test(s), missed and/or late urine drug tests, or otherwise rejected urine drug tests; and e)
2 is required to undergo any additional treatment.

3 17. The PHP shall immediately notify the Board if Respondent: a) is non-
4 compliant with any aspect of this Order; b) relapses; c) tests positive for controlled
5 substances; d) has low specific gravity urine drug test(s), missed and/or late urine drug
6 tests, or otherwise rejected urine drug tests; and e) is required to undergo any additional
7 treatment.

8 18. Relapse, Violation. In the event of chemical dependency relapse by
9 Respondent or Respondent's use of drugs or alcohol in violation of the Order,
10 Respondent's license shall be summarily suspended pending a hearing for revocation. In
11 the alternative, Respondent may SURRENDER HER LICENSE if she agrees in writing to
12 being impaired by alcohol or drug abuse. A.R.S. § 32-2551(P).

13 19. Respondent shall obey all state, federal and local laws, all rules governing
14 the performance of health care tasks in Arizona, and remain in full compliance with any
15 court order criminal probation, payments and other orders.

16 20. The Board retains jurisdiction and may initiate a new action based upon any
17 violation of this Order, including, but not limited to, those actions set forth in the preceding
18 paragraph.

19 21. Prior to the termination of probation, Respondent must submit a written
20 request to the Board for release from the terms of this Order. Respondent's request
21 must be in writing and submitted at least 30 days prior to the date she would like the
22 matter to appear before the Board. In doing so, Respondent must provide the Board
23 with evidence establishing that she has successfully satisfied all of the terms and
24 conditions of this Order. Such evidence shall include a report from the PHP supporting
25 the termination of probation. The Board has the sole discretion to determine whether all

1 of the terms and conditions of this Order have been met and whether Respondent has
2 adequately demonstrated that she has addressed all of the issues identified in it. At that
3 time, the Board shall determine whether it is appropriate to release Respondent from
4 this Order or take any other action that is consistent with its statutory and regulatory
5 authority.

6
7 DATED AND EFFECTIVE this 2nd day of September, 2014.

8
9 ARIZONA REGULATORY BOARD OF
10 PHYSICIAN ASSISTANTS

11 By Patricia E. McSorley
12 Patricia E. McSorley
13 Interim Acting Executive Director
14

15 **CONSENT TO ENTRY OF ORDER**

16 Respondent understands and agrees that:

17 1. Any record prepared in this matter, all investigative materials prepared or
18 received by the Board concerning the allegations, and all related materials and exhibits
19 may be retained in the Board's file pertaining to this matter.

20 2. Respondent has read and understands this Consent Agreement as set
21 forth herein, and has had the opportunity to discuss this Consent Agreement with an
22 attorney or has waived the opportunity to discuss this Consent Agreement with an
23 attorney. Respondent voluntarily enters into this Consent Agreement and by doing so
24 agrees to abide by all of its terms and conditions.
25

1 3. By entering into this Consent Agreement, Respondent freely and
2 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
3 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review
4 or any other administrative and/or judicial action, concerning the matters related to the
5 Consent Agreement.

6 4. The findings contained in the Findings of Fact portion of the Consent
7 Agreement are conclusive evidence of the facts stated herein and may be used for
8 purposes of determining sanctions in any future disciplinary matter.
9

10 5. Respondent acknowledges and agrees that upon signing this Consent
11 Agreement and returning it to the Board's Executive Director, Respondent may not
12 revoke her acceptance of this Consent Agreement or make any modifications to it. Any
13 modification of this original document is ineffective and void unless mutually approved
14 by the parties in writing.

15 6. Respondent understands that this Consent Agreement shall not become
16 effective unless and until it is approved by the Board and signed by the Board's
17 Executive Director.


18 7. Respondent understands and agrees that if the Board does not adopt this
19 Consent Agreement, she will not assert in any future proceedings that the Board's
20 consideration of this Consent Agreement constitutes bias, prejudice, prejudgment, or
21 other similar defense.
22

23 8. Respondent understands that this Consent Agreement is a public record
24 that may be publicly disseminated as a formal action of the Board and will be reported to
25

1 the National Practitioner's Data Bank and on the Board's web site as a disciplinary
2 action.

3 9. Respondent understands that this Consent Agreement does not alleviate
4 her responsibility to comply with the applicable license-renewal statutes and rules. If this
5 Consent Agreement remains in effect at the time Respondent's physician assistant
6 license comes up for renewal, she must renew her license if Respondent wishes to
7 retain her license. If Respondent elects not to renew her license as prescribed by statute
8 and rule, Respondent's license will not expire but rather, by operation of law (A.R.S. §
9 32-3202), become suspended until the Board takes final action in this matter. Once the
10 Board takes final action, in order for Respondent to be licensed in the future, she must
11 submit a new application for licensure and meet all of the requirements set forth in the
12 statutes and rules at that time.

14 10. Respondent understands that any violation of this Consent Agreement
15 constitutes unprofessional conduct under A.R.S. § 32-2501(18)(dd) ("[v]iolating a formal
16 order, probation, Consent Agreement or stipulation issued or entered into by the board
17 or its executive director.").

18 
19 Linda D. Teague, P.A.

DATED: 7/30/14

21 EXECUTED COPY of the foregoing mailed
22 this 2nd day of September, 2014 to:

23 Linda D. Teague, P.A.
24 Address of Record

24 ORIGINAL of the foregoing filed
25 this 2nd day of September, 2014 with:

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Arizona Regulatory Board of
Physician Assistants
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

Amanda Schuabe
Board Staff